



Paper No. 26

Chiron Corporation
Intellectual Property - R440
P.O. Box 8097
Emeryville CA 94662-8097

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In re Application of:
Shirley, *et al.*
Application No. 09/187,661
Filed: November 6, 1998
Attorney Docket No. 5784-3

**OFFICE OF PETITIONS
DECISION GRANTING
PETITION**

This is a decision on the March 28, 2002 petition under 37 C.F.R. §1.10(d) requesting that the above-identified application be accorded a filing date of November 6, 1998, rather than the presently accorded filing date of November 5, 1998.

Petitioner alleges that the application was deposited in Express Mail service on November 5, 1998. In support, the petition is accompanied by copies of Petitioner's mail logs and docketing slips, in addition to declarations by Rebecca Allen.

In view of the above, *this petition is **granted**.*

This application will be returned to for correction of the filing date to November 6, 1998.

Telephone inquiries concerning this matter may be directed to the undersigned in the Office of Petitions at (703) 306-5593.

Scott M. Ledford
Attorney
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Examination Policy